

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>10/3/2022</u>

METROPOLITAN PROPERTY AND CASUALTY
INSURANCE COMPANY,

Plaintiff,

20-CV-01890 (JLR)(SN)

-against-

ORDER

BROAN and JOHNSON ELECTRIC,

Defendants.

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SARAH NETBURN, United States Magistrate Judge:

On July 28, 2022, the Court scheduled a settlement conference to be held on October 3, 2022. The Court's Procedures for Cases Referred for Settlement to Magistrate Judge Sarah Netburn require that the party – and not just the lawyers – attend all settlement conferences. Consequences of non-compliance with the attendance requirements include reimbursement of attorney time.

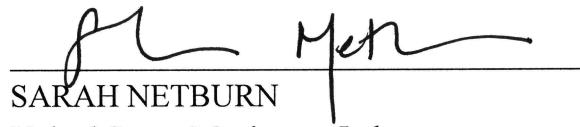
At today's settlement conference, an attorney and party representative appeared for the Plaintiff and Defendant Broan. Only an attorney appeared for Defendant Johnson Electric; that is, Johnson Electric failed to comply with the Court's attendance requirement and was not excused for this non-compliance. The absence of a party representative from Johnson Electric was particularly consequential because Plaintiff and Defendant Broan had reached a settlement agreement in principle in advance of the conference; the purpose of the conference was, therefore, exclusively to negotiate with Johnson Electric. Accordingly, the conference was adjourned after one hour.

Therefore, Johnson Electric is ORDERED to pay one hour of attorney time for each of Plaintiff and Defendant Broan at their attorney's reasonable rate. Payment must be made within 30 days.

The Court has agreed to conduct a second settlement conference if Johnson Electric will attend in good faith. The Court will hold Thursday, November 10, 2022, at 10:00 a.m. for a second settlement conference at which all of the parties and their client representatives must attend remotely. If Defendant Johnson Electric does not confirm its intentions to participate in this conference by October 7, 2022, the Court will release the hold.

Should the parties resolve the litigation before the conference date, they must notify the Court in writing immediately.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: October 3, 2022
 New York, New York